

CHARGES MADE AGAINST FORMER JUDGE OLMSTED

Bar Association Starts Inquiry Into His Conduct as Lawyer.

CITY MAGISTRATES AND A WOMAN CONCERNED

The grievance committee of the Bar Association is taking testimony in which professional conduct is alleged against William H. Olmsted, ex-justice of the Court of Special Sessions and now in private practice at 29 Broadway.

Several of the City Magistrates had parts in the events leading to the present inquiry. It was apparent yesterday that the affair has accentuated a bitter feeling among some of them, and whatever the outcome, charges and countercharges and personal reprisals may be looked for.

Mr. Olmsted himself, Chief Magistrate McAdoo and Magistrates Campbell and Murphy declined yesterday to discuss the matter in any way. It is understood that the feeling among some of the Magistrates is that there is nothing in the complaints made against ex-Judge Olmsted and that the whole thing may be principally a matter of personal pique on the part of one of their number. Sympathy with the former judge and sharp criticism of those opposed to him have been expressed.

Secrecy at the Hearing.

The first session of the Bar Association committee, of which Howard Townsend is the chairman, was held last Thursday, and several witnesses were heard. As usual much secrecy surrounded the proceedings. Mr. Olmsted was present, as was John Hedges, and Magistrate Murphy gave evidence. Other witnesses present included Police Commissioner E. J. Kelly and Mr. O. Jones, of the vice squad, and W. Frederick Whitten of the Committee of Fourteen. Miss Alice Smith, a probation officer of the Women's Court, and Barclay Clark, a stenographer of the night court, were also present. More hearings are scheduled for this week and it is probable that Magistrate Barlow and Chief Magistrate McAdoo will be called before the hearings are ended.

The charge against Mr. Olmsted grew out of the arrest of Mrs. Laura Carlton for keeping a disorderly house. The woman's apartment was in a tenement house, and long sentences are frequently imposed for a violation of the tenement house law. The arrest was made in June and Mrs. Carlton, who fixed bail at \$500 and set the case down for a hearing.

A few nights later Mr. Olmsted appeared as counsel for Mrs. Carlton and made some formal motions in the case, but the defendant was not in court and Magistrate Herbert forfeited her bond. Later the bond order was set aside and on the night of June 26, it is alleged, Mr. Olmsted appeared before Magistrate Murphy and asked that some disposition be made of the case.

On this occasion, it is said, the lawyer requested that his client be allowed to plead guilty and a sentence of one day be imposed. This proposition Magistrate Murphy refused, it is said, and told Mr. Olmsted of his decision in forcible language. It was Magistrate Murphy's last night in the court and he attached a memorandum to the papers for the guidance of other Magistrates. On the memorandum Magistrate Barlow refused to have anything to do with the case and finally it came before Magistrate Campbell, who let Mrs. Carlton plead guilty and be sentenced her to imprisonment for one day. The proceeding being in the night court and the hour late when the sentence was imposed, it is said, Mrs. Carlton was not detained for more than an hour.

Magistrates Make Denials.

It is alleged against Mr. Olmsted that he told Magistrate Campbell that Magistrates Murphy and Barlow would be satisfied with a sentence of one day. Both Magistrates deny they ever made any such suggestion and Magistrate Murphy points to his memorandum as showing his position in the matter.

This memorandum, written out by the court stenographer at the time and which appears as a part of the record of the proceeding, states in substance that when Mrs. Carlton was arraigned in court the case should not be disposed of until conference with Magistrate Murphy. The court clerk says he called Magistrate Campbell's attention to this slip, and that in spite of the warning the case was disposed of. This was on the night of June 26 and the day after Magistrate Murphy left the night court.

It is further alleged that Mr. Olmsted was warned that he should produce his client in court, as she was a fugitive under the law, and his reported reply to this was that she was not in court, although a short time before he had offered to produce her and plead guilty for her if sentence should be made not more than one day in prison.

The arrest of the woman was made by the vice squad policemen, and when the last sentence was imposed Mr. Whitten, of the committee of fourteen, took up the matter. He first conferred with Chief Magistrate McAdoo, who made inquiries of all those interested in the case. There

was nothing done, however, and then the Bar Association was appealed to, with the result that the charges are now being heard.

Appointed by Mayor Strong.

Ex-Judge Olmsted is 55 years old. Born in Connecticut, he studied at Auburn, N. Y., and was admitted to the bar at Rochester, where he practised from 1880 to 1887, when he came to New York. He was a newspaper reporter here for ten years. Mayor Strong made him a City Magistrate. He had been a Republican, but was inactive in politics.

Mayor Low appointed Mr. Olmsted to the Court of Special Sessions in May, 1902, and at the same time named Peter Townsend Barlow a City Magistrate in Judge Olmsted's place. Mayor Gaynor failed to reappoint Judge Olmsted, although the Judge's friends say that his appointment elsewhere would have been certain if the Mayor had lived. Mr. Olmsted is married and lives at 610 West 146th street.

Magistrate Daniel F. Murphy was appointed by Mayor Gaynor in June, 1910, and so has six years more to serve. He was graduated from Harvard in 1899 and was an Assistant District Attorney under William Travers Jerome for four years. Magistrate Campbell comes of a Virginia family and is a nephew of Gen. John A. Logan of civil war fame. He was appointed to the bench by Mayor Gaynor and his term expires next May.

BELIEVE FIFTH AVENUE BOMB FOR FARA FORNI

Explosion Wrecks Basement of No. 43, Where Italian Consul Lives.

What is thought to be the fourth attempt on the life of Giuliano Fara Forni, the Italian Consul-General, occurred at 7 o'clock yesterday morning when a water heater exploded mysteriously in the basement of the eleven story apartment house at 43 Fifth avenue, where Mr. Fara Forni lives. William Walters, the elevator man and fireman, was injured seriously, partitions were wrecked and many windows broken.

Inspector Owen Egan of the Bureau of Combustibles said last night that he had no doubt the explosion had been caused by a bomb of dynamite placed in the firebox of the heater or in the coal bin.

The explosion, he pointed out, had been downward, not upward. The heater is small, and it seems improbable that an ordinary explosion would have caused such havoc.

The force of the explosion was so great that the floors rocked in the Van Rensselaer Hotel, around the corner on Eleventh street.

Wins \$10,000 Opera Prize.

Prof. Parker of Yale Follows "Mona" With "Fairland." CHICAGO, Oct. 18.—A prize of \$10,000 for the best American opera has been awarded by the judges to Prof. Horatio W. Parker of Yale University. It is entitled "Fairland." The libretto is by William Brian Hooker, who collaborated with Prof. Parker in the opera "Mona." The prize was given by the Los Angeles Music Teachers Association. The opera, which was selected from fifty-six submitted by musicians and authors in all parts of the United States, is a pageant, and will be produced July 1, next year, by the American Opera Association of Los Angeles.

Rumanians Side With Allies.

100,000 Adopt Resolutions Calling for Belligerent Action. Special Cable Dispatch to The Sun. BUCHAREST, Oct. 18.—One hundred thousand Rumanians who are members of the League of Rumanian Culture met at Galatz, in Moldavia, and adopted resolutions declaring that the Rumanians desire a national policy in line with the Triple Entente and that their ideal is the re-conquest of Transylvania and Bukovina.

Prince Oscar Seriously Ill.

Doctors Forbid Kaiser's Son to Return to the Front.

Special Cable Dispatch to The Sun. PARIS, Oct. 18.—A Copenhagen despatch to the *Temps* says the condition of Prince Oscar, the fifth son of the Kaiser, who suffered a serious attack of heart trouble after a recent battle in France, is most serious.

Not One Hunt on the Noordam.

LONDON, Oct. 18.—The Holland-America Line steamship Noordam arrived at Rotterdam today, according to a despatch to Reuters, under her own steam. The damage caused by the mine which the Noordam struck off the Dutch coast yesterday afternoon was confined to her stern and the rudder. The despatch says that no one was injured, contradicting earlier reports that seven persons had been hurt.

CHAS. E. MATTHEWS—DESS.

Nov. 21 E. 12th St. Complete office outfit.

WILSON PLEADS FOR DEMOCRATIC CONGRESS AGAIN

No Other Party Big Enough to Rule, He Tells Underwood in Letter.

PRIVATE CONTROL NOW BROKEN; BUSINESS FREE

WASHINGTON, Oct. 18.—President Wilson in a letter to Representative Underwood, Democratic leader of the House, makes his appeal to the voters of the nation for the return of a Democratic Congress. President Wilson's letter, which was made public to-night, will serve as the platform upon which Democratic candidates for the House and for the Senate will seek election in the present contest.

The President expresses the utmost confidence in the outcome. He contends the nation never has failed to sustain a Congress and Administration that have sought to render them a permanent and disinterested benefit.

"A practical nation is not likely," he says, referring to the Congress, "to reject such a team, full of the spirit of public service, and substitute in the midst of great tasks either a party upon which a deep demoralization has fallen or a party which has not grown to the stature that would warrant its assuming the responsible burden of the State."

In reviewing the history of the political changes President Wilson declares the single purpose has been to destroy private control and set business free. The first step in that direction was the passage of the tariff law.

War Prevents Fair Test of Tariff

The President laims the fact that the European war has prevented a fair test of this measure. He explains the failure of the tariff to lower the cost of living by saying the war has prevented active competition from bringing prices "to their normal level again."

In the President's opinion business is adjusting itself with singular ease and elasticity to the new conditions imposed by the tariff law. He describes the Administration's anti-trust legislation as "an effort to kill monopoly in the seed" and the legislation which many contend exempts the labor unions from prosecution under the Sherman anti-trust law he describes as "justice done the laborer."

The currency legislation the President characterizes as "creating a democracy of credit." Again he describes the broad purposes of his Administration as a scheme of peace and honor and disinterested service to the world.

Here is the President's letter:

THE WHITE HOUSE, WASHINGTON, October 17, 1914.

MY DEAR MR. UNDERWOOD: I cannot let this session of Congress close without expressing my warm admiration for the fidelity and intelligence with which the programme outlined in April and December of last year has been carried out, and my feeling that the people of the country have been served by the members of this Congress as they have seldom, if ever, been served before. The programme was a great one, and it is a matter of deep satisfaction to think of the way in which it has been handled.

It had several distinct parts and many items, but, after all, a single purpose, namely, to destroy private control and set business free. That purpose was manifest enough in the case of the tariff and in the legislation affecting trusts; but, though perhaps less evident upon the surface there, it lay at the very heart of the currency bill, too. May I not add, even though it lies outside the field of legislation, that that, and that chiefly, has been the object of the foreign policy of the Government during the last eighteen months?

Private control has shown its sinister face on every hand in America, and has shown it for a long time, and sometimes very brazenly, in the trusts and in a virtual domination of credit by small groups of men. The safest hiding place and covert of such control is in the tariff. There it for a long time hid very shrewdly.

The tariff was a very complicated matter; none but experts thoroughly understood its schedules. Many of the schedules were framed to afford particular advantages to special groups of manufacturers and investors. That was the soil in which trade combinations and combinations of manufacturers most readily grew, and most rankly.

High Prices Not From Tariff.

High prices did not spring directly out of the tariff. They sprang out of the suppression of domestic, no less than of foreign, competition by means of combinations and trade agreements which could be much more easily contrived and maintained under the protection of a high tariff than without it. The European war came before the withdrawal of this much coveted opportunity for monopoly could show its full effects and active competition bring prices to their normal level again; but it is clear enough already that the reduction of the tariff, the simplification of its schedules so as to cut away the jungle in which secret agencies had so long lurked, the correction of its inequalities, and its thorough recasting, with the single honest object of revenue,

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British Seize Ship Flying U. S. Flag

Standard Oil Tanker Which Sailed From N. Y. Thursday Taken to Halifax.

HALIFAX, Oct. 18.—The steamer Brindilla, flying the American flag, was brought into port today as a prize of war by the British auxiliary cruiser Coronia. The Brindilla was formerly the German steamer Washington.

She cleared from New York for Alexandria, Egypt, last Tuesday and was captured the same day by a British cruiser. Later she was transferred to the charge of the Coronia, which placed a prize crew on board.

She is reported to have contraband of war in her cargo. The Admiralty Court will consider the case at once.

W. G. Hayner, the Standard Oil Company's superintendent of tank steamships, made the following statement last night with respect to the seizure of the Brindilla by a British cruiser:

"There is no excuse in the world for her capture. Washington was notified of her purchase and issued her papers stating that she was under American registry. She flies the Stars and Stripes and her papers are made out in accordance with the United States regulations. We were careful before sending her out to take all Germans from her crew. Her complement was made up of thirty-six men, Americans, Swedes and Norwegians, under Capt. Charles Peterson, who is an American citizen."

AMERICANS FEAR ATTACK.

Rumors of French Move on Smyrna Laid to Germans.

Special Cable Dispatch to The Sun.

CONSTANTINOPLE, Oct. 18.—Rumors attributed to German agents to the effect that a French attack on Smyrna is imminent have disturbed the people of that place. The Porte asked Mr. Morgenthau, the American Ambassador in Turkey, not to send the armored cruiser North Carolina to Smyrna lest her arrival there might be misinterpreted. As a result of this request the North Carolina has been sent to Beirut and Mr. Morgenthau has sent Second Secretary Teller and Capt. Williams, the military attaché, to reassure the Americans at Smyrna.

MR. RYAN WANTS NO WAR FEELING STIRRED HERE

Financier, Back From Europe, Decries Agitation in America.

Thomas Fortune Ryan, who returned to this country from Europe on Saturday by the White Star liner Olympic, was asked last night to give to THE SUN his views on the situation abroad and at home.

"I don't want to discuss the war," he said.

"Where were you when the war began and what were your experiences?" "I was in Germany at Cologne, on my way to Belgium and France. I have no hard luck stories to tell. We were detained at Aix-la-Chapelle for a part of a day, but received only courteous treatment."

"What do you think of Count von Bernstorff's activities and interviews?" "What the German Ambassador says and thinks about England, France, Belgium and the war should not keep anybody awake nights, but every true American must feel indignant at activities and campaigns which are calculated to stir up bad blood among the people of this country. Within my memory a native American party sprang into existence from similar activities on the part of foreigners who attempted to influence our policies."

"What do you think of the chances of the Republicans getting control of the lower house in November?" "They haven't one chance in 10,000. The people are satisfied with this Democratic Administration."

"How about the financial situation?" "It is improving. The country's exports will soon take care of the real weak spot, which is the money we owe to Europe."

Germans Mine the Scheldt.

Special Cable Dispatch to The Sun.

AMSTERDAM, Oct. 18.—The Germans are mining the Scheldt from Antwerp to Bath on the Dutch frontier.

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BRITISH CHIEF SHOWS GERMAN LOSS ENORMOUS

Sir John French Gives Report of Fighting From Aug. 23 to Sept. 28.

PROGRESS SLOW IN BATTLE OF THE AISNE

Special Cable Dispatch to The Sun.

LONDON, Oct. 18.—The press bureau issued to-night two despatches from Field Marshal Sir John French, commander of the British army in France, narrating operations in France from August 23 to September 28 and covering the battle of the Marne and part of the battle of the Aisne. The first despatch, which is dated September 17, begins with the continuation of the allies' retreat before "a very vigorous pursuit."

Gen. Joffre, the French commander in chief, visited Gen. Sir John French on August 29. The British commander says:

"I strongly represented my position to Gen. Joffre, who was most kind, cordial and sympathetic, as he always has been. I finally arranged with Gen. Joffre to effect a further short retirement toward the line from Compiègne to Soissons. The right flank of the German army was now reaching a point which appeared to seriously endanger my line of communications with Havre."

"I had already evacuated Amiens, in which a German reserve division was reported to have moved."

After giving further details Gen. French says:

"While closely adhering to his strategic conception to draw the enemy on at all points until a favorable situation was created from which to assume the offensive, Gen. Joffre found it necessary to modify from day to day the methods whereby he sought to attain this object."

Retreat a General Plan.

"In conformity with the movements of the French force my retirement continued practically from day to day. Although we were not severely pressed by the enemy, rear guard actions took place continually."

"When retiring from a thickly wooded country south of Compiègne the First Cavalry Brigade was overtaken by some German cavalry. They momentarily lost a horse artillery battery and several officers and men killed and wounded. With the help, however, of some detachments from the Third Corps they not only recovered their own guns but succeeded in capturing twelve of the enemy's."

Gen. French then gives some more details of the retreat and continues:

"On September 5 Gen. Joffre informed me of his intention to take the offensive forthwith, as he considered the conditions very favorable to success. On September 6 a great battle opened on a front extending from Ermenonville to a point north of Verdun. This battle, so far as the Fifth French army, the British army, the Fifth French army and the Ninth French army were concerned may be said to have concluded on the evening of September 10, by which time the Germans had been driven back to the line from Soissons to Rheims with the loss of thousands of prisoners, many guns and enormous masses of transport."

"About September 3 the enemy appears to have changed his plans and determined to stop the advance south direct upon Paris. An air reconnaissance on September 4 showed that his main columns were moving in a southeasterly direction."

German Retreat Begun Sept. 6.

After detailing the German movements as they were then observed Gen. French continues:

"I conceive that it had been about noon on September 6 that the enemy realized that a powerful threat was being made against the flank of his columns moving to the southeast and began to retreat."

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ALLIES DRIVE FOES FROM ARMENTIERES; REPORT 30 MILE GAIN

French Recapture Important Railroad Centre Near the Northern Frontier--Invaders' Attempt to Cross the Yser, in Belgium, Is Foiled.

BELGIANS CHECK GERMAN MOVE ON FRENCH CHANNEL PORTS

Special Cable Dispatch to The Sun.

PARIS, Oct. 18.—The features of the official news to-day are that the allies have recaptured Armentieres, driving the Germans northeastward from three to five miles, and that the heroic little army of Belgium, now on the extreme left of the allied line, is holding back a powerful German advance toward Dunkirk.

The Belgians, severely punished but always in the thick of the fighting, prevented the Germans from crossing the River Yser, which flows into the North Sea at Nieuport, on the Belgian coast. The Germans are in great force, 400 guns, 40,000 infantry and some cavalry having been rushed from Ostend toward the Yser on Saturday. These troops had been drawn from all quarters, from Lunenburg, Nancy and Brussels, and were weary from incessant marching and fighting.

While King Albert's army, supported by what seems to be a new British army, French marines and detachments from Gen. Joffre's line in France, checked the German advance along the seacoast, the left wing of the allies in northern France made notable progress, delivering a series of blows against Von Boehm and Von Kluck which forced the Germans to surrender Armentieres and villages to the south.

Gen. Joffre, according to official reports, has driven the German right wing about nineteen miles to the north-east in the past four days. There is an unofficial report that at some points the allies have gained thirty miles. These successes, slowly gaining, have so straightened the allied line that it now runs practically north and south from a point near Nieuport through Ypres and Armentieres to Roye, the "elbow" of the great line in France.

The information to-day strengthens the impression formed on previous days that the Germans are subordinating all operations elsewhere to their new plan for a fresh advance toward Paris, this time through northern France, weakening their lines in the center and in the east to give strength to the new offensive in Belgium, and that Gen. Joffre is meeting the situation by heavily reinforcing his left wing and never abandoning the initiative. The German plan to envelop the allies by suddenly seizing the railroads from the Channel toward Lille has failed.

It is reported that the Germans are actually preparing to withdraw their armies in central France and are preparing to defend a fortified line from Namur to Metz, while developing their fresh attack from Ostend and Ghent. The French are making progress along the Meuse and are repulsing every attempt of the Germans to get siege guns near Verdun, Toul or Belfort. Last night an attack on the Toul-Belfort line was repulsed near St. Die.

ARMENTIERES RETAKEN; GERMAN ATTACKS FAIL

Special Cable Dispatch to The Sun.

PARIS, Oct. 18.—The Government report to-night had no further news of the operations in Belgium and in the north of France than was contained in the afternoon report, which mentioned definite progress. The communique, given out at 11:05 o'clock, informed the public, however, that the Germans were again beaten in an attempt to get within cannon shot of the barrier fortresses. The text was as follows:

"In the course of last night the Germans tried two violent attacks north and east of St. Die. They were repulsed with serious losses on the part of the enemy."

No other important news has been reported regarding the day's operations.

The report of the afternoon was distinctly encouraging to the French people, indicating that the allies are achieving successes in the north which may soon bring about a decisive result. The taking of Armentieres is regarded as very important, while the lines have been advanced so greatly that the German hold on Lille is regarded as precarious. The Belgians defeated the

Allies Advance Thirty Miles.

Special Cable Dispatch to The Sun.

LONDON, Oct. 18.—A statement issued by the Official Press Bureau to-night says: "Our progress in the last few days has been very good. In the northern area the Germans have been driven back thirty miles."

GERMANS FIGHT TO KEEP LINES OF RETREAT OPEN

By H. M. TOMLINSON.

Special correspondent of THE SUN and the London "Daily News."

NORTHWEST FRANCE, Oct. 18.—Information here indicates that the allies have advanced (words deleted by censor). The Germans have chosen heights for trenches and artillery positions to keep open as long as possible the line of retreat.

The position of the Germans in France is that they have been thrown back almost as far as their line of communications and their battles are direct efforts to keep open the line of retreat.

One need not assume that the Germans will be out of France in the next five minutes, but it may certainly be assumed that the superior generalship of the allies and the far better quality of our men have at last maneuvered the Germans into a position from which the enemy will have an enormous difficulty in extricating himself, and if he is unable to do so will possibly see how he will in his ruin. I cannot possibly see how he will ever resume the offensive in this theatre of war unless his armies which are now fighting in Russia come this way and repeat in Belgium the efforts of Gen. Kluck's army.

FIGHT NEAR DIXMUDE.

Special Cable Dispatch to The Sun.

LONDON, Oct. 18.—A Times correspondent in northwest France says there was a German reconnaissance in force yesterday afternoon in the direction of Dixmude. There was desultory fighting east and west of the town, but the attack did not develop.

King Albert in a motor car visited

WAR NEWS IN BRIEF

FRANCE.—The French official communique issued last night reported as the only important incidents along the battle line two violent attacks north and east of St. Die in which the Germans were repulsed with serious loss.

The afternoon communique reported the recapture by the French of Armentieres, on the Belgian frontier, and the occupation of the line from Givency and Illies to Fromelles. It also reported French progress north of Arras and in the region between Arras and the Oise.

RUSSIA.—Fighting continues along the Vistula, the battle line extending about 200 miles and reaching from Warsaw southward into Galicia. Indications are that the engagement here will be long drawn out and that the troops of both sides apparently are preparing for a winter campaign. Ambassador Dumba announced that the Austrians are recovering from the demoralization of the earlier campaign and that they have succeeded in driving the last Russian

from Hungary through the Carpathians.

ITALY.—The Duke of the Abruzzi announced that the Italian navy has been reorganized. Six divisions have been formed with a Rear Admiral for each division. The King will visit Taranto to review the mobilized fleet. A despatch from Rome says the review will be important owing to the trials of new eleven mile range guns. It is believed that the Marquis Imperiali, Italian Ambassador in London, will succeed the late Marquis di San Giuliano as Foreign Minister.

GERMANY.—A wireless despatch from Berlin says that the Germans are investing Belfort and that 30,000 Belgian soldiers are interned in Holland. The Crown Princess went to Danzig and conferred the Iron Cross on the men of the submarine U 26, which recently destroyed the Russian cruiser Pallada.

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